

AMENDED IN ASSEMBLY APRIL 27, 2010

AMENDED IN ASSEMBLY MARCH 16, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1605

Introduced by Assembly Member Coto

January 6, 2010

An act to add and repeal Section 17303.5 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1605, as amended, Coto. School facilities: plan review.

~~Existing law requires the~~

The Department of General Services is required to supervise the design and construction of school buildings to ensure that plans and specifications comply with various structural safety standards, as specified and requires the department to pass upon and approve or reject all plans for the construction or modernization of any school building. Existing law requires a local educational agency to submit a plan for the construction, and in specified cases, the alteration, of any school building prior to adopting the plan. An applicant A local educational agency that submits a plan is required to pay a filing fee to the department based on the estimated cost of the work, in accordance with a specified schedule, and is required to make an election to either use the department to review the plan or request that the plan review be performed by a qualified plan review firm, as specified. If the department is elected, the department is required to take specified actions to expedite the review of the applicant's plan, including, among other things, employing additional staff on a temporary basis, which is paid

into the State Treasury and credited to the Public School Planning, Design, and Construction Review Revolving Fund, a continuously appropriated fund.

This bill would specify that an employee funded by those fees is exempt from any furlough implemented by any state agency, board, or commission. The bill would require the department to complete and return its initial review of a school construction or modernization plan within a specified number of days, depending on the estimated cost of the project, from the date the local educational agency submitted the plan.

This bill would authorize a local educational agency to agree to pay an additional fee to the department for the department's cost to employ additional staff to expedite its review of that local educational agency's plan. The bill would exempt employees funded by those fees from furloughs implemented by any state agency, board, or commission. The

The bill would require the department to submit a report containing specified information to the Senate and Assembly Committees on Education by January 1, 2016. The bill would repeal those provisions on January 1, 2017.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17303.5 is added to the Education Code,
- 2 to read:
- 3 ~~17303.5. (a) A local educational agency may agree to pay an~~
- 4 ~~additional fee to the Department of General Services for the~~
- 5 ~~department's cost to employ additional staff to expedite its review~~
- 6 ~~of that local educational agency's plan if the school seeking~~
- 7 ~~construction or modernization is a low performing school, as~~
- 8 ~~identified by that school's position in the lowest two deciles of~~
- 9 ~~pupil performance in the year immediately preceding the year that~~
- 10 ~~the plan is submitted for review.~~
- 11 (b)
- 12 17303.5. (a) Notwithstanding any other provision of law, an
- 13 employee funded by a fee collected pursuant to this section Section
- 14 17301 is exempt from any furlough implemented by any state
- 15 agency, board, or commission.
- 16 (c)

1 (b) The Department of General Services shall complete and
2 return its initial review of a school construction or modernization
3 plan *as follows*:

4 (1) *For a project with an estimated cost of less than twenty*
5 *million dollars (\$20,000,000), within 90 days from the date the*
6 *plan was submitted by the local educational agency.*

7 (2) *For a project with an estimated cost of twenty million dollars*
8 *(\$20,000,000) or more, within 120 days from the date the plan*
9 *was submitted by the local educational agency.*

10 within 120 days from the date the plan was submitted by the
11 local educational agency ~~pursuant to this section~~.

12 (c) *By January 1, 2016, the Department of General Services*
13 *shall submit to the Senate and Assembly Committees on Education*
14 *a report on the average number of days required to complete the*
15 *initial review of plans submitted on or after January 1, 2011.*

16 (d) *The report required pursuant to subdivision (c) shall be*
17 *submitted in compliance with Section 9795 of the Government*
18 *Code.*

19 ~~(d)~~

20 (e) This section shall remain in effect only until January 1, 2017,
21 and as of that date is repealed, unless a later enacted statute, that
22 is enacted before January 1, 2017, deletes or extends that date.